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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,001	07/06/2001	Alexander Ganin	15-XZ-5881	8764

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[REDACTED]  
EXAMINER

CHURCH, CRAIG E

ART UNIT	PAPER NUMBER
2882	

DATE MAILED: 09/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	Examiner	Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

#### Status

- Responsive to communication(s) filed on \_\_\_\_\_.
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

#### Disposition of Claims

- Claim(s) 1, 2, 5-7, 9-23 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 1, 2, 5-7, 9-23 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - All  Some\*  None of the CERTIFIED copies of the priority documents have been received.
  - received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

#### Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- Interview Summary, PTO-413
- Notice of Reference(s) Cited, PTO-892
- Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Other \_\_\_\_\_

#### Office Action Summary

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The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1, 2, 5, 9, 22 and 23 are rejected under 35 U.S.C. § 103 as being unpatentable over Khutoryansky et al (5734694). Lines 50 of column 4 to 38 of column 6 explain operation of the disclosed tomographic system which includes presetting parameters such as sweep angle (travel distance), fulcrum (focal plane), slice thickness and speed. Switches 716 </> specify left or right scanning, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to operate them in sequence since the source scanning in either direction is limited. Further, it would have been obvious to acquire more than one image while practicing the Khutoryansky method.

Claims 6, 7 and 10-21 are rejected under 35 U.S.C. § 103 as being unpatentable over Khutoryansky et al (5734694) in view of Tam

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(5717732) and Sata (5,412,702). Tam teaches a linear tomograph including x-ray source 10 and digital detector array 12. Khutoryansky does not detail the structure of his detector, and it would have been obvious to employ therefor any known detector such as the digital detector taught by Tam in order to provide real time display. Sata teaches an x-ray tomograph equipped with a display 40 for simultaneously showing multiple tomographic views, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to equip the Khutoryansky with such means to speed up medical diagnosis.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Examiner Church at telephone number (703) 308-4861.

*Craig E Church*

CRAIG E. CHURCH  
Senior Examiner  
ART UNIT 2882